REMARKS

An Office Action was mailed on September 23, 2004. Claims 1 - 10 are pending in the

present application. With this response, Applicant amends claims 1 - 10. No new matter is

introduced.

REJECTION UNDER 35 U.S.C. §§ 102,103

Claims 1 – 2 and 4 - 10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over

U.S. Patent No. 6,373,950 to Rowney. Claim 3 is rejected under 35 U.S.C. § 103(a) as being

unpatentable over Rowney in view of U.S. Patent No. 6,351,813 to Mooney et al. Applicant

amends claims 1 - 10 to clarify the nature of his invention, and respectfully traverses these

rejections.

In amended independent claim 1, Applicant discloses:

1. A proxy server, provided between a user terminal and an electronic market
server, including a proxy facility for executing authentication and encryption to
the electronic market server, instead of the user terminal, in an electronic
commercial transaction, comprising:

an establishing means for establishing an encrypted communication session
between the user terminal and the proxy server, using public/secret keys of the
user terminal and an electronic signature both transmitted from the user terminal;

a proxy means for executing authentication of a certificate and exchanging a
common key between the proxy server and the electronic market server, using
public/secret keys of the electronic market server; and

an informing means for informing the common key to the user terminal through
the encrypted communication session;

wherein an encrypted communication is executed between the user terminal and
the electronic market server by using the common key that was exchanged
between the proxy server and the electronic market server.

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Rowney discloses a method and system for providing secure transmission between a plurality of computer systems over a public communication system and a merchant computer system, and further between the merchant computer system and a payment gateway computer system (see, e.g., abstract of Rowney). The Examiner apparently equates Applicant's claimed user terminal with Rowney' plurality of computer systems, and Applicant's claimed proxy server including informing means with Rowney's merchant computer system and payment gateway computer system (see, e.g., column 19, lines 25 – 43 of Rowney). The Examiner does not specifically identify components of Rowney's system that correspond to Applicant's claimed electronic market server.

According to Applicant's invention as claimed in amended independent claim 1, the proxy means provided in the proxy server performs authentication between the home server and the electronic market server, and obtains the common key from the electronic market server to be passed by the informing means through the encrypted communication session to the user terminal. While Rowney discloses means for setting up encrypted communications between the a user's computer and a merchant computer (see, e.g., FIG. 2 of Rowney) and means for authenticating the user by means of the payment gateway computer system (see, e.g., FIG. 8 of Rowney), Rowney fails to disclose or otherwise suggest Applicant's claimed <u>informing means</u> for informing a <u>common key</u> provided by the electronic market server <u>to the user terminal</u> through the encrypted communication session in order for <u>communications to be enabled</u> <u>between the user terminal and the electronic market server</u>. In fact, Rowney fails even to disclose or suggest a counterpart to Applicant's claimed <u>electronic market server</u> for communicating with the user terminal via the proxy server. Accordingly, Applicant respectfully submits that amended independent claim 1 is not anticipated by Rowney, and stands in condition for allowance.

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Applicant substantially reapplies the above arguments in respect to amended independent claims 8 and 9, which disclose Applicant's claimed <u>informing means</u>, and respectfully submits that amended independent claims 8 and 9 are also allowable for these reasons. As dependent claims 2 – 6 depend directly or indirectly from allowable independent claim 1, Applicant submits that dependent claims 2 – 6 are allowable for at least this reason.

Each of amended independent claims 7 and 10 address features of the user terminal in Applicant's claimed proxy server system. In amended independent claim 7, Applicant discloses:

> **7.** An access card used in an electronic commercial transaction constituted by a user terminal, a proxy server and an electronic market server; the access card being connected to the user terminal; and the proxy server including a proxy facility being provided between the user terminal and the electronic market server for executing authentication and encryption to the electronic market server, instead of the user terminal; the access card comprising:
>
> an establishment means for establishing an encrypted communication session between the user terminal and the proxy server including the proxy facility; and
>
> an <u>encrypted communication means for receiving a common key</u>, which is exchanged between the proxy server and the electronic market server after an authentication process for the electronic market server, from the proxy server through the encrypted communication session, and <u>for executing the encrypted communication with the electronic market server by using the common key</u>.

(Emphasis added)

In amended independent claim 10, Applicant discloses:

> **10.** A user terminal being able to communicate with a first server and a second server;
>
> wherein the first server includes a proxy facility for executing authentication with the second server instead of the user terminal, when receiving an identification information and a request for executing an authentication process from the user terminal; and the second server has an authentication facility to authenticate the user terminal in accordance with predetermined procedures and to <u>provide a secret key for an authorized destination as a result of authentication</u>; and
>
> wherein the user terminal comprises a transmitting unit to transmit the identification information used for identifying its own terminal and the request for

executing the authentication process, to the first server, and a <u>receiving unit to</u> <u>receive the secret information from the first server.</u>
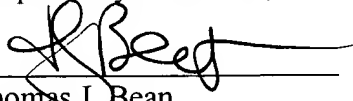
(Emphasis added)

Unlike Applicant's amended independent claims 7 and 10, Rowney fails to disclose or suggest that the user computer receives a <u>common key</u> or <u>secret information</u> from a proxy server (first server) that was <u>obtained from the electronic market server (second server)</u> for facilitating encrypted communications between the user computer and electronic marker server. Accordingly, Applicant respectfully submits that amended independent claims 7 and 10 are not anticipated by Rowney, and are in condition for allowance.

CONCLUSION

An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above amendments and remarks, it is believed that claims 1 – 10, consisting of independent claims 1, and 7 – 10, and the claims dependent therefrom, are in condition for allowance. Passage of this case to allowance is earnestly solicited. However, if for any reason the Examiner should consider this application not to be in condition for allowance, he or she is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,

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